Serial No.: 10/729,035

Docket No.: ECV-5413CIP2CON1 Amendment Dated November 9, 2004

Responsive to Office Action dated July 13, 2004

## REMARKS

Claims 1-30 remain pending in the present application.

Claims 1-30 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-26 of US Patent No. 6,736,845. Accordingly, a Terminal Disclaimer in view of this rejection is submitted concurrently herewith, and the rejection is therefore believed obviated.

Pursuant to 37 C.F.R. 1.136(a), Applicants hereby request an extension of time for One Month to respond to the above-referenced Office Action. The Commissioner is hereby authorized to charge the required fee of \$110.00 to Deposit Account No. 50-1225 (Docket no. ECV-5413CIP2CON1). A duplicate copy of this sheet is enclosed.

Accordingly, in view of the above remarks, it is submitted that this application is now ready for allowance. Early notice to this effect is solicited. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (949) 250-6801.

15

10

5

Date: November 9, 2004

20

25

Respectfully submitted,

Rajiv Yadav, Ph.D., Isq. Registration No. 43,999 Edwards Lifesciences LLC

Law Department
One Edwards Way

Irvine, California 92614

Telephone: (949) 250-6801 Facsimile: (949) 250-6850

Customer No. 30452